

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 218 be amended to read as follows:

- 1 Page 1, line 8, delete "person;" and insert **"person who is not a**
 - 2 **minor;"**.
 - 3 Page 1, line 14, after "proving" delete ":" and insert **"by clear and**
 - 4 **convincing evidence:"**.
 - 5 Page 2, after line 7, begin a new paragraph and insert:
 - 6 **"(e) Damages described in subsection (b) may not be reduced**
 - 7 **by more than one percent (5%) for failing to comply with section**
 - 8 **2 of this chapter.**
 - 9 **(f) To prove that compliance with this chapter would have**
 - 10 **reduced injuries and the extent of the reduction of any injuries, the**
 - 11 **defendant in an action described in subsection (b) must introduce**
 - 12 **testimony from:**
 - 13 **(1) a physician;**
 - 14 **(2) a biomechanical engineer; or**
 - 15 **(3) an accident reconstruction expert."**
- (Reference is to Engrossed Senate Bill 218 as printed March 18, 2005.)

Representative ULMER